

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6877**

**BILL NUMBER:** SB 242

**NOTE PREPARED:** Mar 28, 2005

**BILL AMENDED:** Mar 24, 2005

**SUBJECT:** Driving License Reinstatement Fees.

**FIRST AUTHOR:** Sen. Long

**FIRST SPONSOR:** Rep. Messer

**BILL STATUS:** As Passed House

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) (A) The bill requires all full-service license branches to be open on the day before election day and on election day to issue driver's licenses and state identification cards. The bill requires all full-service license branches to be open extra hours on the Saturday following an election day to issue driver's licenses and state identification cards.

(B) The bill provides for an additional seven days for the certification of election results and the filing of recounts or contests.

(C) The bill permits a court to waive a driver's license reinstatement fee if: (1) the person who owes the fee is indigent; (2) the person who owes the fee has proof of future financial responsibility; and (3) waiver of the fee is appropriate in light of the person's character and the nature and circumstances surrounding the suspension of the person's license.

**Effective Date:** July 1, 2005.

**Explanation of State Expenditures:** (Revised) (A) Under the bill, state license branches would be required to stay open on the following days solely to issue either driver's licenses or identification cards:

Day	Hours
Election day (general, municipal, primary, and special)	6:00 AM - 6:00 PM
Day before election day	8:30 AM - 8:00 PM
Saturday after election day	8:30 AM - 5:30 PM

The provision would require the Bureau of Motor Vehicles (BMV) Commission to have another day specified as compensatory time or authorize overtime pay for the additional hours worked by license branch employees on a day prior to election day. License branch employees that work the additional proposed hours on election day would be allowed another day as a holiday to replace the election day holiday.

The provision would be carried out within the existing resources of the BMV. Given that only driver's licenses and identification cards would be issued, it is likely that license branches would not be required to be fully staffed during the proposed additional hours of operation.

**Explanation of State Revenues:** (C) This proposal could mean an annual revenue loss, the amount of which is indeterminable. The specific annual revenue loss will depend upon the number of drivers whose reinstatement fees are waived.

*Background Information:* The following provides an overview of the reinstatement program and the Financial Responsibility Compliance Verification Fund.

A ten-year history of reinstatements under IC 9-29-10 reveals approximately 39,000 offenders per year were required to pay either \$150, \$225, or \$300, depending on the number of suspensions. Of the fee paid for reinstatement under IC 9-29-10, \$30 of each suspension is deposited into the Motor Vehicle Highway Account (MVHA), and the remainder is deposited into the Financial Responsibility Compliance Fund.

In addition, over the same ten-year period, there were approximately 59,500 drivers per year with suspended licenses who were assessed a \$10 reinstatement fee required under IC 9-29-13-1. This fee is deposited into the MVHA.

The Financial Responsibility Compliance Fund is used for the purpose of defraying expenses incurred by the BMV in verifying compliance with financial responsibility requirements. The MVHA is used for the following purposes: traffic safety, and for the construction, reconstruction, improvement, maintenance, and policing of the state's highways.

**Explanation of Local Expenditures:** (Revised) (C) Local election officials would have an extra seven days to process election results, recount petitions, and candidate listings. The provision should not affect local expenditures.

**Explanation of Local Revenues:**

**State Agencies Affected:** Bureau of Motor Vehicles and other recipients of MVHA distributions; Election Division.

**Local Agencies Affected:** Recipients of MVHA distributions; County election officials.

**Information Sources:** Financial Responsibility Compliance Fund data.

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